

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

O.O.C.J.

SUM. SUIT NO. 2368 OF 1986

WITH

SUM. SUIT NO. 2369 OF 1986

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Bank of Baroda. Plaintiffs.

VS.

M/s. Deepak Perfumery Works

& Ors. .. Defendants.

Mr. K.F. Merchant i/by Little & Co.

for plaintiffs.

Mr. K.B. Irani i/by Nita Madhwani

for defendants 1,2,4.

WITH

SUM. SUIT NO. 2369 OF 1986

Bank of Baroda. Plaintiffs.

VS.

Vijay Export Corporation

& Ors. .. Defendants.

Mr. K.F. Merchant i/by Little & Co.

for plaintiffs.

2

Mr. K.B. Irani i/by Nita Madhwani
for defendants 1,2,4.

CORAM : S.U.KAMDAR, J.

DATE : 6th July, 2005.

P.C.

. The parties to the present both the suits state that both the suits are settled on the following terms.

1. That there shall be a decree as prayed for in both the suits in favour of the plaintiffs and against the defendants. However, the said decree will be marked satisfied if the payments are made in the following manner.

If the defendants make payment of Rs. 6,25,000/- the said decrees in both the suits will be marked satisfied fully. The plaintiff is permitted to withdraw the sum of Rs. 5,19,845/- lying to the credit of both the suits with the Office of the Prothonotary and Senior Maser, High Court, Bombay. The Office of the Prothonotary and Senior Master, High Court Bombay is directed to encash the fixed deposit, if any, and pay over the aforesaid amount along with accrued

3
interest, if any, to the plaintiffs towards
the satisfaction of the decretal claim of
Rs. 6,25,000/-.

The defendant to make the balance payment of
Rs. 1,05,155/- in four equal monthly
instalments commencing from 15.7.2005 and
shall pay punctually subsequent instalments
on each succeeding month till the entire
four instalments are paid.

If the said instalments are paid, then both
the decrees will be marked satisfied and in
an event of default, the plaintiff will be
entitled to execute the decrees as passed by
the present order. The plaintiff also
undertakes to this Court to withdraw the
said suit pending between the parties before
the Bombay City Civil Court at Mumbai.